

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILLIAM EMORY McDOWELL,

Defendant.

CASE NO. C10-5849RBL

CR04-5193RBL

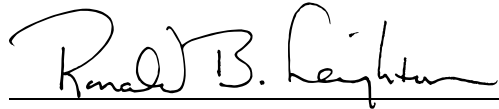
ORDER

THIS MATTER comes on before the above-entitled court upon Defendant's Notice of Appeal [Dkt. #13]. Having considered the entirety of the records and file herein, the Court finds and rules as follows:

For the reasons stated in this Court's Order [Dkt. #11], the Court declines to issue a certificate of appealability because the defendant has failed to make "a substantial showing of a denial of a constitutional right." 28 U.S.C. § 2253(c)(2).

1 The Clerk shall send uncertified copies of this order to all counsel of record, and to any  
2 party appearing pro se.

3 Dated this 24<sup>th</sup> day of October, 2011.

4   
5

6 RONALD B. LEIGHTON  
7 UNITED STATES DISTRICT JUDGE  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24